



Attorney Docket: **LINX35US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
DONALD L. SCHILLING)
Serial No. 10/797,588) Group Art Unit: 2631
Filed: March 11, 2004) Examiner:
For: SPREAD-SPECTRUM CHANNEL SOUNDING)

ATTN: BOX MISSING PARTS

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts of Application, enclosed herewith are the following papers for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

1. Notice To File Missing Parts of Application;
2. Certificate of Mailing;
3. Declaration and Power of Attorney from parent case; and
4. U.S. Patent and Trademark Office **SMALL ENTITY** filing fee of \$1,215.00 calculated as follows:

Filing Fee (Small Entity) (2001)	\$ 385.00
Surcharge for Missing Parts: \$65 (2051)	65.00
Total Claims (65 - 20) x \$9.00 (2202)	165.00
Independent Claims (8 - 3) x \$42.00 (2201)	405.00
Multiple Dependent Claims \$140.00 (2203)	<u>145.00</u>

Total Amount \$1,215.00

Applicant is a **SMALL ENTITY**.

Enclosed is a check in the amount of \$1,215.00 (**SMALL**

ENTITY), for filing the Response to Notice to File Missing Parts of Application. If the fee referred to above is found to be insufficient for any reason, please charge the deficiency to Deposit Account No. 14-0783. If the fee referred to above is found to be in excess for any reason, please credit the excess to Deposit Account No. 14-0783.

Respectfully submitted,

DAVID NEWMAN CHARTERED

By: 

David B. Newman, Jr.
Registration No. 30,966

Date: July 22, 2004

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/92 (08-03)
Approved for use through 07/31/2006. OMB 0561-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Serial No: 10/797,588

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 22 2004
Date

David B. Newman Jr.
Signature
David B. Newman Jr.
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/23/04

IFW#



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/797,588	03/11/2004	Donald L. Schilling	LINX35US

DAVID NEWMAN CHARTERED
P.O. Box 2728
La Plata, MD 20646-2728



CONFIRMATION NO. 4722

FORMALITIES LETTER



OC00000012804716

Date Mailed: 05/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 MAHME1 00000103 10797588

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2202	405.00 OP
04 FC:2203	145.00 OP
05 FC:2201	215.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A replacement abstract not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1530 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2430** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1530**
 - **\$430** for **5** independent claims over 3.
 - **\$810** for **45** total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. Ketsela

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE